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CE/SOM  
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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUL 21 2006

at 3 o'clock and 59 P.M.  
SUE BEITIA, CLERK

Attorneys for Defendant/Limitation Plaintiff  
**MORNING STAR CRUISES, INC.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

In the Matter of	)	CV. NO. 03-00672 SOM-BMK
	)	
The Complaint of MORNING STAR	)	
CRUISES, INC., a Hawaii corporation.	)	
	)	
<u>SHIROH FUKUOKA, Individually and</u>	)	CV. NO. 04-00588 SOM-BMK
as Personal Representative of THE	)	
ESTATE OF MITSUKO FUKUOKA,	)	[CONSOLIDATED]
and as Next Friend of MIHO	)	
FUKUOKA, a Minor,	)	
	)	NOTICE OF HEARING OF
Plaintiffs,	)	LIMITATION PLAINTIFF
	)	MORNING STAR CRUISES
vs.	)	INC.'S MOTION FOR
	)	SUMMARY JUDGMENT
MORNING STAR CRUISES, INC., a	)	AGAINST LIMITATION
Hawaii corporation; JOHN DOES 1-	)	DEFENDANTS FOR
	)	EXONERATION FROM, OR

ORIGINAL

10, JANE DOES 1-10, DOE	)	<b>EXONERATION FROM, OR</b>
CORPORATIONS 1-10, DOE	)	<b>LIMITATION OF LIABILITY;</b>
PARTNERSHIPS 1-10, DOE JOINT	)	<b>LIMITATION PLAINTIFF</b>
VENTURERS 1-10, DOE LIMITED	)	<b>MORNING STAR CRUISES</b>
LIABILITY ENTITIES 1-10, DOE	)	<b>INC.'S MOTION FOR</b>
NON-PROFIT ENTITIES, 1-10, DOE	)	<b>SUMMARY JUDGMENT</b>
GOVERNMENTAL ENTITIES 1-10,	)	<b>AGAINST LIMITATION</b>
DOE UNINCORPORATED	)	<b>DEFENDANTS FOR</b>
ENTITIES 1-10, and OTHER DOE	)	<b>EXONERATION FROM, OR</b>
ENTITIES 1-10,	)	<b>LIMITATION OF LIABILITY</b>
	)	<b>MEMORANDUM IN SUPPORT</b>
Defendants.	)	<b>OF MOTION; AFFIDAVIT OF</b>
	)	<b>PAUL S. K. YIP; DECLARATION</b>
	)	<b>OF GREGORY K. MARKHAM;</b>
	)	<b>EXHIBITS "A"- "B";</b>
	)	<b>CERTIFICATE OF SERVICE</b>
	)	
	)	Date: August 21, 2006
	)	
	)	Time: 11:15 a.m.
	)	
	)	Judge: Hon. Susan Oki Mollway
	)	
	)	
	)	Trial: February 21, 2007
	)	Time: 9:00 a.m.
	)	Judge: Hon. Susan Oki Mollway
	)	
	)	


NOTICE OF HEARING OF LIMITATION PLAINTIFF  
MORNING STAR CRUISES INC.'S MOTION FOR  
SUMMARY JUDGMENT AGAINST LIMITATION DEFENDANTS  
FOR EXONERATION FROM, OR LIMITATION OF LIABILITY

TO: **ROBERT D. KAWAMURA, ESQ.**  
550 Halekauwila Street., Suite 106  
Honolulu, Hawaii 96813

Attorney for Limitation Defendants

NOTICE is hereby given that Limitation Plaintiff Morning Star Cruises Inc.'s Motion For Summary Judgment Against Limitation Defendants For Exoneration From, Or Limitation Of Liability shall come on for hearing before the Honorable Susan Oki Mollway, Magistrate/Judge of the above-entitled Court, in his courtroom in the United States Courthouse, 300 Ala Moana Boulevard, Honolulu, Hawaii, on Monday, August 21, 2006, at the hour of 11:15 o'clock a.m., or as soon thereafter as counsel may be heard.

DATED: Honolulu, Hawaii, July 21, 2006.



**GREGORY K. MARKHAM**  
**KEITH K. KATO**  
**DESIREE HIKIDA MOKUOHAI**

Attorneys for /Defendant  
Limitation Plaintiff  
**MORNING STAR CRUISES, INC.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

In the Matter	)	CV NO. 03-00672 SOM-BMK
	)	
of	)	
	)	
The Complaint of MORNING STAR	)	
CRUISES, INC., a Hawaii	)	
corporation.	)	
	)	
<hr/> SHIROH FUKUOKA,	)	CV NO. 04-00588 SOM-BMK
	)	
Plaintiff,	)	[CONSOLIDATED]
	)	
vs.	)	<b>LIMITATION PLAINTIFF</b>
	)	<b>MORNING STAR CRUISES INC.'S</b>
MORNING STAR CRUISES, INC.,	)	<b>MOTION FOR SUMMARY</b>
	)	<b>JUDGMENT AGAINST</b>
Defendant.	)	<b>LIMITATION DEFENDANTS FOR</b>
	)	<b>EXONERATION FROM OR</b>
	)	<b>LIMITATION OF LIABILITY</b>
	)	

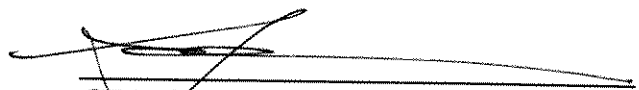
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LIMITATION PLAINTIFF MORNING STAR CRUISES INC.'S MOTION  
FOR SUMMARY JUDGMENT AGAINST LIMITATION DEFENDANTS  
FOR EXONERATION FROM OR LIMITATION OF LIABILITY

COMES NOW Limitation Plaintiff Morning Star Cruises, Inc., by and through its attorneys, the law firm of Chee & Markham, and hereby moves for Summary Judgment with respect to its Complaint For Exoneration From Or Limitation of Liability in the above captioned case.

This motion is brought pursuant to Rule 56 of the *Federal Rules of Civil Procedure*, and is supported by the Memorandum in Support of Motion, Concise Statement of Facts, pleadings, files and records herein.

DATED: Honolulu, Hawaii, July 21, 2006.



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**GREGORY K. MARKHAM**  
**KEITH K. KATO**  
**DESIREE HIKIDA MOKUOHAI**

Attorneys for /Defendant  
Limitation Plaintiff  
**MORNING STAR CRUISES, INC.**